

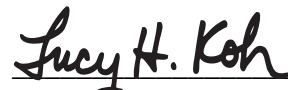
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Plaintiff Lilia Dizon filed a complaint against Wells Fargo Bank, N.A. (“Wells Fargo”), Litton Loan Servicing (“Litton”), and Does 1 through 100 (collectively “Defendants”) on September 22, 2011, in Santa Clara County Superior Court. *See* ECF No. 1. On October 26, 2011, Litton removed the case to federal court. *Id.* Litton declined to proceed before a magistrate judge on October 31, 2011, and the case was reassigned to the undersigned judge on November 1, 2011. *See* ECF Nos. 4, 6. On November 2, 2011, Litton filed a motion to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). *See* ECF No. 7. On November 17, 2011, Wells Fargo joined Litton’s motion. ECF No. 10. Pursuant to Civil Local Rule 7-3(a), Plaintiff’s opposition to Litton’s motion to dismiss was due on November 16, 2011. Plaintiff has not filed an opposition or statement of non-opposition to Litton’s motion.

On May 9, 2012, the Court ordered Plaintiff to show cause why this case should not be dismissed for failure to prosecute. The Court gave Plaintiff until May 17, 2012, to file a response to the Order to Show Cause. Plaintiff failed to respond. A hearing on the Order to Show Cause was held on Thursday, May 24, 2012, at 1:30 p.m. Plaintiff failed to appear. The Court's Order to Show Cause gave Plaintiff notice that failure to respond to the Order to Show Cause and to appear at the May 24, 2012 hearing would result in dismissal with prejudice for failure to prosecute. Accordingly, because Plaintiff has failed to respond and to appear at the show cause hearing, this action is DISMISSED WITH PREJUDICE. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: May 24, 2012



LUCY H. KOH
United States District Judge